

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

Douglas Mastriano	:	CIVIL NO. 5:24-cv-00567-F
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
James Gregory, III, <i>et al</i>	:	
	:	
Defendants.	:	

MOTION FOR LEAVE TO FILE RESPONSE IN OPPOSITION TO LENGTHY BRIEF IN
EXCESS OF 25 PAGES

COMES NOW the plaintiff, by his attorneys Daniel L. Cox, The Cox Law Center, LLC, and files this motion for leave to respond in opposition to Defendants' lengthy brief in excess of 25 pages and says in support thereof:

1. Upon preparing to file the response in opposition this evening, the undersigned realized that the order granting Defendants' a lengthy brief filing for their motion to dismiss may have overlooked Plaintiff's need to respond accordingly with the requisite pages to each point of the longer brief, thus necessitating leave of court for filing a longer than 25 page response in opposition.
2. Additionally, it was overlooked that this Court requires more than a 24 hour request for leave of court motions for longer than 25 pages in motions or responses.

3. Plaintiff therefore files this request for leave with the additional request to file this motion out of time pursuant to Local Rule LCvR7.1.
4. Plaintiff further avers that no prejudice will be had by any party, as he has consented to both sets of defendants in their requests and court orders to permit lengthy briefing.
5. Additionally, while Plaintiff endeavored to keep his response within the 25 page limit, it became impractical to do so and also adequately brief the Court on his response in opposition to the Defendants' motion.
6. Plaintiff's response in opposition is approximately 32 pages not including the cover page, and tables of contents and authorities. **Exhibit One, attached hereto.**
7. Plaintiff has further requested Defendants' counsel consent for the out-of-time filing of this motion for the lengthy response and has not yet received a response due to the late hour.

WHEREFORE, Plaintiff respectfully requests this Court permit the out-of-time filing of this motion for leave to file a lengthy response and permit the filing of the lengthy response as timely filed.

Respectfully submitted,
The Cox Law Center, LLC
By: _____ //s// _____
Daniel L. Cox, OKWD Bar 2490
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CERTIFICATE OF SERVICE

This is to certify on this 9th day of September, 2024, that a copy of the foregoing was served on counsel of record via CM/ECF.

/s/
Daniel L. Cox